

A RESOLUTION

BY FINANCE/EXECUTIVE COMMITTEE

02-R-0974

A RESOLUTION, AUTHORIZING THE INTERIM CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT IN AN AMOUNT NOT TO EXCEED \$100,000 WITH THE LAW FIRMS OF SUTHERLAND ASBILL & BRENNAN AND THOMAS, KENNEDY, SAMPSON & PATTERSON TO SERVE AS BOND COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH PUBLIC FINANCE TRANSACTIONS (INCLUDING THE ISSUANCE OF BONDS AND NOTES) FOR THE DEPARTMENT OF AVIATION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO PAY FEES AND COSTS FOR LEGAL SERVICES RENDERED PURSUANT TO SAID RETAINER AGREEMENT; TO RESCIND CONFLICTING RESOLUTIONS; AND FOR OTHER PURPOSES.

WHEREAS, Section 2-991 of the Code of Ordinances for the City of Atlanta provides certain procedures for the selection and recommendation of Bond Counsel for the City of Atlanta's Department of Aviation to the Atlanta City Council in connection with the issuance of bonds; and

WHEREAS, the Interim City Attorney has solicited written proposals from numerous law firms in the City of Atlanta to serve as Bond Counsel for the City of Atlanta's Department of Aviation in connection with Public Finance Transactions (including bonds and notes).

WHEREAS, the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson submitted proposals to serve as Bond Counsel for the Department of Aviation in connection with the Public Finance Transactions, and the Interim City Attorney, in consultation with the Chief Financial Officer, recommends the law firms of Sutherland Asbill & Brennan and Thomas, Kennedy, Sampson & Kennedy to serve as Bond Counsel to the Department of Aviation in connection with the issuance of the Bond Anticipation Notes.

NOW THEREFORE, THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES as follows:

Section 1. That the Interim City Attorney the City of Atlanta is hereby authorized to execute a retainer agreement with the law firms of Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson to serve as Bond Counsel to the City of Atlanta's Department of Aviation in connection with Public Finance Transactions (including bonds and notes) in the approximate amount of \$350,000,000.

Section 2. That the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses, and costs due for legal services rendered by Sutherland, Asbill & Brennan and Thomas, Kennedy, Sampson & Patterson in connection with said bond issue, such amounts to be paid from the proceeds of the bond issue; provided that the legal fees authorized herein shall not exceed the sum of \$100,000.00, plus actual expenses incurred by Sutherland, Asbill & Brennan and

Thomas, Kennedy, Sampson & Patterson.

BE IT FURTHER RESOLVED that all resolutions and parts of resolutions in conflict herewith are hereby rescinded.